

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTINA MARY REYNOLDS, on behalf
of herself and all others similarly situated,

Plaintiff,

v.

TURNING POINT HOLDING
COMPANY, LLC, *et al.*,

Defendants.

Civil Action No.: 2:19-CV-01935-JDW

**PLAINTIFF’S UNOPPOSED MOTION TO PRELIMINARILY APPROVE CLASS AND
COLLECTIVE ACTION SETTLEMENT, CERTIFY THE RULE 23 CLASS AND THE
FLSA COLLECTIVE, APPOINT CLASS COUNSEL, APPROVE PROPOSED CLASS
NOTICE, AND SCHEDULE A FINAL APPROVAL HEARING**

Plaintiff Christina Mary Reynolds, together with named plaintiffs in the related Actions,¹ Christina Nulph, and Rosemary Barba (collectively “Plaintiffs”), by their counsel, Lynch Carpenter, LLP, and Connolly Wells & Gray, LLP (collectively, “Plaintiffs’ Counsel”), individually and on behalf of the Settlement Class Members, respectfully move the Court for an order: (1) accepting the proposed Amended Complaint previously filed on February 7, 2022 (ECF 124) as the operative complaint in this Litigation²; (2) certifying, for settlement purposes only, the proposed Rule 23 Class consisting of the PA Class and NJ Class members, pursuant to Fed. R. Civ. P. 23(b)(3); (3) certifying, for settlement purposes only, the FLSA Collective; (4) appointing Plaintiffs as the class and collective representatives and Plaintiffs’ Counsel as “Class Counsel”; (5) granting preliminary approval of the proposed settlement set forth in the Settlement Agreement; (6) approving the form and content of, and direct the distribution of, the proposed Class Notice; and (7) setting a date for

¹ All capitalized terms used in this Motion shall have the meanings ascribed to them in the Settlement Agreement, attached as Exhibit 1 to the contemporaneously filed Declaration of Gerald D. Wells, III.

² As set forth in the accompanying Memorandum, the Amended Complaint is necessary in order to bring all claims before this Honorable Court.

a Final Approval Hearing between ninety and one hundred twenty days after entry of a Preliminary Approval Order.³

In support of this Motion, Plaintiffs submit the following:

- Memorandum of Law;
- Declaration of Gerald D. Wells III and exhibits thereto;
- Declaration of Kirk Ruoff filed February 7, 2022 (ECF 123); and
- Declaration of Hon. Diane M. Welsh (Ret.).

Respectfully submitted,

Dated: July 29, 2022

/s/ Gerald D. Wells III

Gerald D. Wells, III

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***Counsel for Plaintiffs and the Proposed
Classes***

³ The Parties request that the hearing be scheduled at such time so as to permit the Parties sufficient time to accomplish each of the requirements set forth in the Settlement Agreement.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 29th day of July, 2022, a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

/s/ Gerald D. Wells III

Gerald D. Wells, III